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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, HAI V

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 09/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/983,041

Applicant(s)

SHIBUYA, ATSUSHI

Examiner

Hai V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29,31-38,40-47 and 49-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29,31-38,40-47 and 49-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the communication received on 31 August 2006.
2. Claims 30, 39, and 48 are cancelled.
3. Claims 1-29, 31-38, 40-47, and 49-55 are presented for examination.

Response to Arguments

4. Applicant's arguments,, filed on 31 August 2006, have been fully considered and are persuasive. The last Final Office Action has been withdrawn. Upon updating search, the new Office Action is as follows:

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-29, 31-38, 40-47, and 49-55 are rejected under 35 U.S.C. 102(e) as being anticipated by **Ohmura** U.S. Patent application publication # **2006/0114339 A1**.
7. As to claim 1, Ohmura substantially teaches the invention as claimed, including a communication system (*Fig. 1*) including:
a communication network (*Fig. 1*); and

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a plurality of terminal devices (*Fig. 1, device 2*) connectable to said communication network (*broadcasting network*) for transmitting and receiving an information item (*Fig. 1, message*) through said communication network;

wherein said communication system includes a table (*Figs. 34-39; 43-45, folder*) which provides at least one retrieval condition and for each said retrieval condition at least one corresponding identifier for an image file to be displayed, so as to enable said terminal devices to detect in said information item said at least one retrieval condition and if the retrieval condition is detected to display said information item with said at least one corresponding identified image file (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

As to claim 2, Ohmura teaches wherein each retrieval condition in said table comprises a key object (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

8. As to claim 3, Ohmura teaches wherein each said key object comprises at least one object selected from the group consisting of key words and key marks (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

9. As to claim 4, Ohmura teaches wherein said table includes designating data which designate data for displaying said information item with said at least one corresponding identified image file (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

10. As to claim 5, Ohmura teaches wherein said table includes necessary data for displaying said information item with said at least one corresponding identified image or sound file (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

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11. As to claim 6, Ohmura teaches wherein said table is editable (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).
12. As to claim 7, Ohmura teaches wherein said table is transferable through said communication network (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).
13. As to claim 8, Ohmura teaches wherein said information item comprises an e-mail (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).
14. As to claim 9, Ohmura teaches wherein said e-mail has at least an attached file (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).
15. As to claim 10, Ohmura teaches wherein said table is stored in a memory of said terminal device (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).
16. As to claim 11, Ohmura teaches, wherein said table is open on a server computer on said communication network, so as to enable said terminal device to download said table from said server (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).
17. As to claim 12, Ohmura teaches wherein each of said terminal devices includes:
a first function block for performing said retrieval under said retrieval condition with reference to said table (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*);
and
a second function block for displaying said information item in accordance with said at least one corresponding identified image file (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

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18. As to claim 13, Ohmura teaches wherein each of said terminal devices further includes:

a third function block for transmitting and receiving said table through said communication network (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

19. As to claim 14, Ohmura teaches wherein each of said terminal devices includes:

a processing unit (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*); and
a memory accessible by said processing unit, and said memory storing a computer program (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*) comprising the steps of

means for performing said retrieval under said at least one retrieval condition with reference to said table (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*);
and

means for displaying said information item in accordance with said at least one corresponding identified image file (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

20. As to claim 15, Ohmura teaches transmitting and receiving said table through said communication network (*Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

21. Claim 16 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

22. Claims 17-24 have similar limitations of claims 2-9; therefore, they are rejected under the same rationale as in claims 2-9.

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23. Claims 25-28 have similar limitations of claims 12-15; therefore, they are rejected under the same rationale as in claims 12-15.

24. Claim 29 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

25. Claims 31-37 have similar limitations of claims 2, 4-9; therefore, they are rejected under the same rationale as in claims 2, 4-9.

26. Claim 38 corresponds to the method claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

27. Claims 40-46 have similar limitations of claims 2-6, 8-9; therefore, they are rejected under the same rationale as in claims 2-6, 8-9.

28. Claim 47 corresponds to the computer readable medium claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

29. Claims 49-55 have similar limitations of claims 2-6, 8-9; therefore, they are rejected under the same rationale as in claims 2-6, 8-9.

Claim Rejections - 35 USC § 103

30. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

31. Claims 1-29, 31-38, 40-47, and 49-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Manolis et al.** US patent # **6,583,799 B1** in view of **Ohmura** U.S. Patent application publication # **2006/0114339 A1**.

32. As to claim 1, Manolis discloses a communication system (*Fig. 7*) including:
a communication network (*Fig. 7*); and
a plurality of terminal devices (*Fig. 1, computer users*) connectable to said communication network for transmitting and receiving an information item (*email or message*) through said communication network (*col. 6, lines 36-43*);

However, Manolis does not disclose wherein said communication system includes a table which provides at least one retrieval condition and for each said retrieval condition at least one corresponding identifier for an image file to be displayed, so as to enable said terminal devices to detect in said information item said at least one retrieval condition and if the retrieval condition is detected to display said information item with said at least one corresponding identified image file.

In the same field of endeavor, Ohmura discloses in the figures 34-39 and 43-45 a table which provides at least one retrieval condition and for each said retrieval condition at least one corresponding identifier for an image file (*image file ID*) to be displayed, so

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as to enable said terminal devices to detect in said information item said at least one retrieval condition and if the retrieval condition is detected to display said information item with said at least one corresponding identified image file (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Ohmura's teachings of a table including retrieval conditions associated with image identifiers (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*) with the teachings of Manolis for the purpose of minimizing user's time, effort and expense (*Ohmura, col. 3, lines 15-21; col. 4, lines 101-17*).

33. As to claim 2, Manolis-Ohmura discloses wherein each retrieval condition in said table comprises a key object (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

34. As to claim 3, Manolis-Ohmura discloses wherein each said key object comprises at least one object selected from the group consisting of key words and key marks (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

35. As to claim 4, Manolis-Ohmura discloses wherein said table includes designating data which designate data for displaying said information item with said at least one corresponding identified image file (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

36. As to claim 5, Manolis-Ohmura discloses wherein said table includes necessary data for displaying said information item with said at least one corresponding identified

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image or sound file (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

37. As to claim 6, Manolis-Ohmura discloses wherein said table is editable (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

38. As to claim 7, Manolis-Ohmura discloses wherein said table is transferable through said communication network (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

39. As to claim 8, Manolis-Ohmura discloses wherein said information item comprises an e-mail (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

40. As to claim 9, Manolis-Ohmura discloses wherein said e-mail has at least an attached file (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

41. As to claim 10, Manolis-Ohmura discloses wherein said table is stored in a memory of said terminal device (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

42. As to claim 11, Ohmura teaches, wherein said table is open on a server computer on said communication network, so as to enable said terminal device to download said table from said server (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

43. As to claim 12, Manolis-Ohmura discloses wherein each of said terminal devices includes:

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a first function block for performing said retrieval under said retrieval condition with reference to said table (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*); and

a second function block for displaying said information item in accordance with said at least one corresponding identified image file (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

44. As to claim 13, Manolis-Ohmura discloses wherein each of said terminal devices further includes:

a third function block for transmitting and receiving said table through said communication network (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

45. As to claim 14, Ohmura teaches wherein each of said terminal devices includes:

a processing unit (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*); and

a memory accessible by said processing unit, and said memory storing a computer program (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*)

comprising the steps of

means for performing said retrieval under said at least one retrieval condition with reference to said table (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*); and

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means for displaying said information item in accordance with said at least one corresponding identified image file (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

46. As to claim 15, Manolis-Ohmura discloses transmitting and receiving said table through said communication network (*Ohmura, Figs. 34-39; 43-45; paragraphs [0261]-[0291]; [0302]-[0311]*).

47. Claim 16 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

48. Claims 17-24 have similar limitations of claims 2-9; therefore, they are rejected under the same rationale as in claims 2-9.

49. Claims 25-28 have similar limitations of claims 12-15; therefore, they are rejected under the same rationale as in claims 12-15.

50. Claim 29 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

51. Claims 31-37 have similar limitations of claims 2, 4-9; therefore, they are rejected under the same rationale as in claims 2, 4-9.

52. Claim 38 corresponds to the method claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

53. Claims 40-46 have similar limitations of claims 2-6, 8-9; therefore, they are rejected under the same rationale as in claims 2-6, 8-9.

54. Claim 47 corresponds to the computer readable medium claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

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55. Claims 49-55 have similar limitations of claims 2-6, 8-9; therefore, they are rejected under the same rationale as in claims 2-6, 8-9.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hai V. Nguyen
Examiner
Art Unit 2142



THONG Vu
P.E.